

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION
CORPORATION,**

Plaintiff-Applicant,

v.

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

**IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,**

Plaintiff,

v.

BANQUE LOMBARD ODIER & CIE SA,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 12-01693 (CGM)

STIPULATION AND ORDER

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–*lll*, and the estate of Bernard L. Madoff, individually, and defendant Banque Lombard Odier & Cie SA (“Defendant”), by and through their respective, undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, on June 6, 2012, the Trustee filed his original complaint (“Complaint”) in the above-captioned adversary proceeding against Defendant to recover alleged subsequent transfers Defendant allegedly received from Fairfield Sentry Limited, Fairfield Sigma Limited, and Kingate Global Fund, Ltd. ECF. No. 1; and

WHEREAS, pursuant to Stipulation and Order dated on or about the date hereof, the Trustee’s claims to recover alleged subsequent transfers that Defendant allegedly received from Kingate Global Fund Ltd. were dismissed.

IT IS HEREBY STIPULATED AND AGREED, that Defendant shall respond to the Complaint by January 28, 2022. The Trustee shall respond to the motion by March 29, 2022, and Defendant shall file its reply by April 28, 2022.

IT IS HEREBY STIPULATED AND AGREED, that if Defendant files such a motion to dismiss the Complaint, then the parties shall seek oral argument on the motion at the Court’s first available convenience.

IT IS HEREBY STIPULATED AND AGREED, that the Trustee and Defendant reserve all rights, arguments, objections and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect any such rights, arguments, objections, and defenses, including without limitation, challenges to personal jurisdiction or to the jurisdiction of this Court.

IT IS HEREBY STIPULATED AND AGREED, that the above deadlines granted by this Stipulation are without prejudice to either party seeking future extensions of time.

Dated: January 27, 2022
New York, New York

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Madoff Investment Securities LLC and the
estate of Bernard L. Madoff*

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*Attorneys for Defendant Banque Lombard
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SO ORDERED.

Dated: January 27, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge